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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/545,739	04/10/2000	David A. Block	MYTEP002	2486

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EXAMINER
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WILLETT, STEPHAN F

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 05/29/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/545,739

Applicant(s)  
Block et al.

Examiner  
Stephan Willett

Art Unit  
2141



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Apr 7, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 24-36 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## DETAILED ACTION

### *Title Change*

1. The title submitted is acceptable.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U. S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 24-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Bergh et al.  
with Patent Number 6,112,186

3. Regarding claim(s) 24, Bergh teaches a information filtering based in users' relations in a communication network via home pages, col. 26, lines 44-47. Bergh teaches a first personalized home page personal to the user, col. 3, lines 23-31 and of a team, col. 3, lines 37-39. Bergh teaches a team's page, col. 3, lines 41-44 with information and schedules, col. 3, lines 31-36. Bergh teaches a second team's page, col. 3, lines 41-44 with information and schedules, col. 3, lines 31-36. Bergh teaches access levels between members, col. 31, lines 49-54, 59-67.
4. Regarding claim(s) 25, 27-28, Bergh teaches members and groups are part of community areas, col. 16, lines 43-61, col. 31, lines 39-67 and col. 7, lines 54-58.
5. Regarding claim(s) 26, Bergh teaches members and groups are part of leagues, col. 26,

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lines 52-54.

6. Regarding claim(s) 29, Bergh teaches access levels between members, col. 31, lines 49-54, 59-67.
7. Regarding claim(s) 30-33, Bergh teaches facilitating new member invitations that a non-member can accept, col. 26, lines 58-63 and col. 27, lines 29-43, and advertisements to users to join a group with a common interest, col. 31, lines 39-43.
8. Regarding claim(s) 34, Bergh teaches administrator control to send additional information, col. 31, lines 26-29. such as an invitation, col. 27, lines 29-43.
9. Regarding claim(s) 35, Bergh teaches administrator can assign or determine access capability of members, col. 31, lines 18-26, col. 31, lines 55-59.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bergh et al. with Patent Number 6,112,186.
12. Regarding claim(s) 36, the Bergh patent discloses the method of the preceding claims. Bergh teaches a information filtering based in users' relations in a communication network via home pages, col. 26, lines 44-47. Bergh teaches a first personalized home page personal to the

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user, col. 3, lines 23-31 and of a team, col. 3, lines 37-39. The Bergh patent does not explicitly disclose child member in a youth sports team . However, Official Notice is taken MPEP 2144.03 (a)) that various community membership types are well known in the art to insure the public is represented. It would have been obvious to one of ordinary skill in the art at the time of the application's invention to enable a child's youth sport's team to obtain the advantages related to said community. By the above rational, the claim is rejected.

***Response to Amendment***

13. The broad claim language used is interpreted on its face and based on this interpretation the claims have been rejected.

14. The limited structure claimed, without more functional language, reads on the references provided. Thus, Applicant's arguments can not be held as persuasive regarding patentability.

15. Pursuant to MPEP 2111.02, the weight afforded the preamble of the claim is many times not that clear. In the present claims, the preamble has been ignored in interpreting the claims.

16. Applicant suggests "organized sports league", Paper No. 8, Page 5, line 19. The above argument is not commensurate with what is presently claimed and therefore will not be considered at this time. The above two points are made to highlight the breadth of the present claim language. The references may teach in the direction argued, but the references should not be read in a vacuum, the teachings are not mutually exclusive, and must be taken in context of what was reasonable based on the subject matter as a whole as would have been understood at the time the invention was made to a person having ordinary skill in the art to which the subject

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matter pertains. Thus, Applicant's arguments can not be held as persuasive regarding patentability.

17. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the cited portions of the references and relevant portions of the reference.

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***Conclusion***

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is disclosed in the Notice of References Cited. The other references cited teach numerous other ways to perform selectively controlled access to community web pages, thus a close review of them is suggested.

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

20. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (703) 308-5230. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (703) 308-5221. The fax phone number for the

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organization where this application or proceeding is assigned is (703) 746-7239.

23. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9605.

May 13, 2003

*stw*

A handwritten signature in black ink, appearing to read 'LH LUU', is written above a horizontal line.

LE HIEN LUU  
PRIMARY EXAMINER